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THE NEWLY PROCLAIMED CENTRAL PEOPLE'S GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA

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PRELIMINARY VERSION

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THE NEWLY PROCLAIMED CENTRAL PEOPLE'S GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA

I. THE GOVERNMENT IN THEORY[1]

A. The All-China Congress and the Chinese People's Political Consultative Council (CPPC)

In theory, the highest political organ in the new Central People's Government of the People's Republic of China[2] will be an All-China Congress elected by universal suffrage.

Until this Congress is elected, its functions will be performed by the already established Chinese People's Political Consultative Council (CPPC),[3] a "representative" body composed of 662 delegates chosen on both a regional and functional basis.[4] The most important structural features of the CPPC are the Presidium of 89 members; the Standing Committee of 31 members elected by the Presidium; and six subcommittees, which are to draft important legislation.[5] The plenary session of the CPPC has three important duties: (1) to ratify the organic law of the new government (a function that it has already performed); (2) to suggest amendments to the organic law; (3) to create a body known as the Government

1. This description of the new government is based largely on the report by Tung Pi-wu, member of the Central Committee of the Chinese Communist Party, to the CPPC on September 22, 1949. (T-1615, Pei-p'ing, September 24, 1949, UNCLASSIFIED.)
2. See Chart 1, appended.
3. This is the authorized abbreviation as announced by the Chinese Communists.
4. See Chart 2, appended.
5. The most important of these subcommittees have been those dealing with the drafting of the organic law and the organizational statute of the CPPC.

Council, which will be empowered to hold supreme authority in the name of the CPPC and the forthcoming All-China Congress.[1]

B. The National Committee of the CPPC

After the All-China Congress has been formed, the CPPC will remain an integral part of the governmental structure but will become a purely advisory body meeting every three years to "submit proposals on fundamental policies relating to the construction of the country and other important measures to the All-China People's Congress or to the Central People's Government."[2]

During the intervals when the CPPC itself is not in session, many of its functions will be performed by a National Committee consisting of some 200 delegates. The National Committee will have its own standing committee and secretariat and will meet semi-annually, subject to the decision of its standing committee.

The chief functions of the National Committee, as outlined in the organic statute and "Common Program"[3] of the CPPC, are as follows:

1. To carry out the resolutions of the CPPC;
2. To advise the Government Council;
3. To assist the government in mobilizing popular support;

1. Organic law, Article 3.
2. Unofficial English version, "Common Program of the CPPC," as summarized in FBIB, Daily Report, September 30, 1949, p. PPP-11, UNCLASSIFIED.
3. See T-1615, Pei-p'ing, September 24, 1949, UNCLASSIFIED; and New York Times, October 3, 1949.

4. To submit lists of candidates for the election of delegates to the All-China Congress;

5. To determine the representation to be accorded to various groups at the next plenary session of the CPPC;

6. To maintain the "United Front" and insure the cooperation of the various parties and groups within the CPPC.

C. The Government Council

The All-China Congress, when established, will in theory become the highest political body in China. However, since the Congress will meet infrequently in plenary session, its authority will be delegated to a Government Council. This Council is to consist of a chairman, six vice chairmen, and 56 members, all chosen by the CPPC. The Council is to select a secretary general from among its members. In theory, the Government Council is accountable to the All-China Congress,[1] which, when elected, will have the power to "elect" or confirm appointments of members of the Council.[2] The Council will have supreme political authority in the realm of both domestic and foreign affairs except when the All-China Congress is in session.[3] The Council will have extensive powers of appointment, including the right to appoint not only the key personnel of the major administrative organs of the central government

1. "Common Program of the CPPC," Article 15, states that "The People's Government Council is responsible and accountable to the People's Congress." (Unofficial English version, FBIB, Daily Report, September 30, 1949, p. PPP-14, UNCLASSIFIED)
2. In theory, the officers and members of the Government Council are "elected" by the All-China Congress. However, since they have already been chosen by the CPPC (see Appendix for list of personnel), the Congress, in all probability, will merely confirm appointments already made.
3. See "Common Program of the CPPC," Article 12. (FBIB, Daily Report, September 30, 1949, p. PPP-13, UNCLASSIFIED)

but also the chief administrative personnel of regional, provincial, and municipal governments.[1]

The Government Council is to elect a Standing Committee to exercise the authority of the Council during intervals when the Council itself is not in session.

D. Other Administrative Organs

Once the Government Council has been established, it will, in turn, create four subsidiary organs: an Administrative Council (or Administrative Yuan), a Supreme People's Court, an Office of Procurator General, and a People's Revolutionary Military Committee. The heads of these organs will serve concurrently as members of the Government Council. The sphere of jurisdiction of these organs will apparently be determined by "decrees" of the Government Council.[2]

E. The Administrative Council

The Administrative Council, or Administrative Yuan, will serve as a kind of inner cabinet, or Privy Council, having executive powers. It will be composed of a chairman (with the title of Premier), a number of vice chairmen (Vice Premiers), a secretary general, and several members appointed by the Government Council. The precise functions of the Council are as yet unknown.

1. The powers of appointment vested in the Council will undoubtedly be qualified in actual practice. Presumably the chief administrative personnel of the longer-established regional governments, such as the North China People's Government, will be locally elected and merely approved by the Council, while the key personnel of regional administrations more recently established will be appointed by the central government.
2. "Common Program of the CPPC," Article 16.

F. Committees, Ministries, etc.

The Administrative Council will have under it four important committees and a group of 30 ministries, yuan, offices, and bureaus.[1] One of the four committees is to be charged with legislative and political affairs; one is to deal with economic and financial affairs; one is to be in charge of cultural and educational affairs; and the fourth is to have a supervisory function. These committees will aid the Council in coordinating and directing the work of the numerous ministries, bureaus, etc. The Supervisory Committee, which would seem to be on a slightly higher level than the other three, will probably occupy a place similar to that of the Control Yuan in the traditional Chinese government, in the sense that it will have the duty of investigating the efficiency and integrity of administrative personnel.[2] In theory, it will be entirely independent of the Office of Procurator General.

II. THE GOVERNMENT IN PRACTICE

The above description and the appended charts reveal only the formal and theoretical structure of the government. On the basis of the fragmentary evidence available, it is impossible as yet to delineate

1. Organic law, Article 4.
2. According to the "Common Program of the CPPC," Article 19: "People's supervisory organs shall be set up in the People's Governments of the county and municipal level and above, to supervise the execution of duties by the various levels of State organs and public functionaries who violate the law or are derelict in the performance of their duties...." (See FBIB, Daily Report, September 30, 1949, p. PPP-15, UNCLASSIFIED.)

the precise structure of real authority as it will eventually emerge. However, by inference from the known theory and function of Communist governments in the past, it is possible to make certain general observations as to the actual, as opposed to the formal, structure of power.

One important clue to the real nature of the new government is afforded in the declaration by Communist spokesmen that the government will be based on the principle of "democratic centralism." The incorporation of this principle, which is definitely Soviet in origin, clearly implies a repudiation of separation of the powers of government -- a repudiation of both the indigeneous five-power political tradition of Sun Yat-sen and the American three-power concept of government. In the political structure that will emerge in China the various powers of government will be merged and coalesced in a single interrelated complex of administrative organs. Power will be delegated by the representative organs (the CPPC and All-China Congress) to smaller administrative organs, such as the Government Council. It is clear that, after these administrative organs are set up, the larger "representative" bodies, such as the Congress and the CPPC, will have only a minimal importance. The CPPC will revert to a purely advisory status, being retained largely for its possible usefulness as a show of "democracy"

and as a barometer of public opinion.[1] Real power within the government will be concentrated in the Government Council, the Administrative Council, and, to an even greater degree, in the standing committees created by these Councils. In addition, authority will radiate indirectly, to a significant degree, from party organs operating at the various levels of government.

In certain respects the new government is remarkably similar to the Soviet-modeled government of North Korea. The Government Council, for example, is reminiscent of the Presidium of the North Korean Government, while the Administrative Yuan is analogous to the North Korean cabinet. Although such resemblances are striking, too close a comparison at this stage may be misleading. It must be borne in mind that the new government has indigenous roots in the Chinese Soviet Republic of 1931 and in the regional governments of North, Northeast, and Central China.[2]

Available information on the personnel of the new government[3] indicates clearly that the various organs of government will be held

1. In this connection it is interesting to note the role of representative bodies in the government of the USSR: "The more popular and rarer assemblies serve primarily as sentiment-gauging and mobilizing organs, behind the policies decided on by highest Party instances...." (Towster, J., Political Power in the USSR, p. 310)
2. Chou En-lai, in a recent address to the CPPC, declared that the new government belongs to "the category of the Congress system of the Soviet Union, but is not completely identical with the Soviet system...." Chou explained the difference as arising from the fact that social classes have been abolished in the USSR but not in China. The new Chinese government, he added, is to be based on a union of the various revolutionary classes, and this union will be reflected in the form and structure of the new government. (See FBIB, Daily Report, September 26, p. PPP-9, UNCLASSIFIED.)
3. See Appendix.

together by a system of interlocking directorates similar to that employed in the central government of the USSR. A small group of top-echelon members of the Chinese Communist Party will concurrently hold key positions of authority in several important organs of government. Mao Tse-tung, for example, will serve concurrently as chairman of the Government Council, chairman of the Military Committee, member of the Standing Committee and Presidium of the CPPC, and chairman of the National Committee of the CPPC. Chou En-lai will serve concurrently as Premier, Foreign Minister, a member of the Government Council, and vice chairman of the Military Committee. Through the establishment of such a system of interlocking controls, the danger of dissension within the ranks of government will be minimized and party control of the various organs of government will be insured.

Until such time as detailed information is available on the personnel and actual operation of the new government, a number of important questions will remain unanswered. Among these questions are the following:

1. What will be the relation of the various levels of government to the various levels of party organization?

2. What will be the precise relation of the Administrative Council to the Government Council? Which of the two will have the final say on matters of policy?

3. What will be the relation of the Supreme Court, the Office of the Procurator General, and the Military Committee to the Government Council?

4. What will be the relation of the administrative committees (such as the Supervisory Committee) to the Ministries on one hand and to the Administrative Council on the other?

5. What will be the future relationship of the regional, provincial, and local units of government to the central administration? Will the central government interfere extensively in local and regional affairs or entrust them to the supervision of local units of government and party?

6. To what administrative body will the internal security forces (secret police) be, in theory, responsible?[1]

1. On the basis of fragmentary evidence available, it would appear that the internal security forces will be placed under the People's Revolutionary Military Committee. (See appended Chart 1.) Such an arrangement would correspond to the Soviet system; the internal security forces of the USSR were integrated, during World War II, with a supreme military body known as the State Defense Committee. (See Towster, p. 293.)

APPENDIX

KEY PERSONNEL OF THE IMPORTANT ORGANS OF THE CENTRAL PEOPLE'S GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA

(NOTE: Asterisk following name indicates known members of the Chinese Communist Party.)

I. CENTRAL PEOPLE'S GOVERNMENT COUNCIL

A. Presiding Officers (4 out of 7 are party members.)

Chairman	MAO Tse-tung*
Vice Chairmen	CHU Te*
	LIU Shao-ch'i*
	SUNG Ch'ing-ling (Mme. SUN Yat-sen)
	LI Chi-shen
	CHANG Lan
	KAO Kang*
Secretary General	LIN Po-ch'u (LIN Tsu-han)*

B. Members (27 out of a total of 56 are party members.)

CH'EN I*
LIN Tsu-han*
HO Lung*
LI Li-san*
YEH Chien-ying*
HO Hsiang-ning (Mme. LIAO Chung-k'ai)
LIN Piao*
P'ENG Te-huai*
LIU PO-ch'eng*
WU Yü-chang*
HSÜ Hsiang-ch'ien*
P'ENG Chen*
PO I-po*
NIEH Jung-chen*

B. Members (continued)

CHOU En-lai*
TUNG Pi-wu*
Saif-al-Din 'Aziz
JAO Shu-shih*
T'AN Kah-kee (CH'EN Chia-keng)
LO Jung-huan*
TENG Tzu-hui*
YÜ Tse*
HSÜ T'e-li*
TS'AI Ch'ang*
LIU Ko-p'ing
MA Yin-ch'u
CH'EN Yün*
K'ANG Sheng*
LIN Feng*
MA Hai-lun
KUO Mo-jo
CHANG Yün-i*
TENG Hsiao-p'ing*
KAO Ch'ung-min
SHEN Chün-ju
SHEN Yen-ping (MAO Tun)
CH'EN Shu-t'ung
SSUT'U Mei-t'ang
LI Hsi-chiu
HUANG Yen-p'ei
TS'AI T'ing-kai
HSI Chung-hsün*
P'ENG Tse-min
CHANG Chih-chung
FU Tso-i
LI Chu-ch'en
LI Chang-ta
CHANG Po-chün
CH'ENG Ch'ien
CHANG Hsi-jo
CH'EN Ming-shu
T'AN P'ing-shan
CHANG Nan-hsien
LIU Ya-tzu
CHANG Tung-sun
LUNG Yün

II. ADMINISTRATIVE COUNCIL

Chairman	CHOU En-lai*

(Other personnel as yet unknown.)

III. PEOPLE'S REVOLUTIONARY MILITARY COMMITTEE

Chairman	MAO Tse-tung*
Vice Chairman	CHU Teh*
	LIU Shao-ch'i*
	CHOU En-lai*
	P'ENG Teh-huai*

IV. SUPREME PEOPLE'S COURT

Chief Justice	SHEN Chün-ju

V. OFFICE OF THE PROCURATOR-GENERAL

Procurator General	LO Jung-huan*

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CHART 1

CENTRAL PEOPLE'S GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA[1]

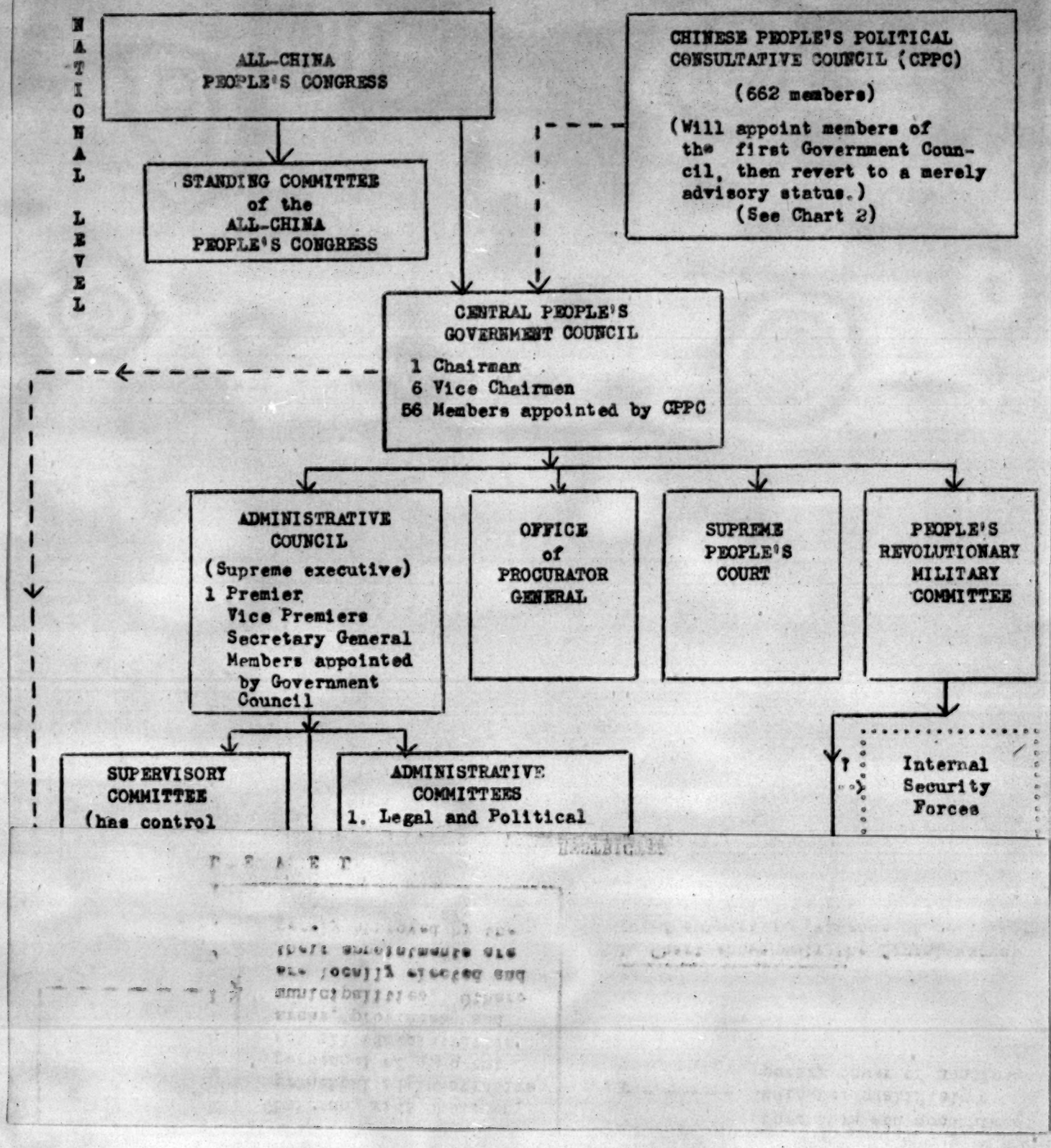

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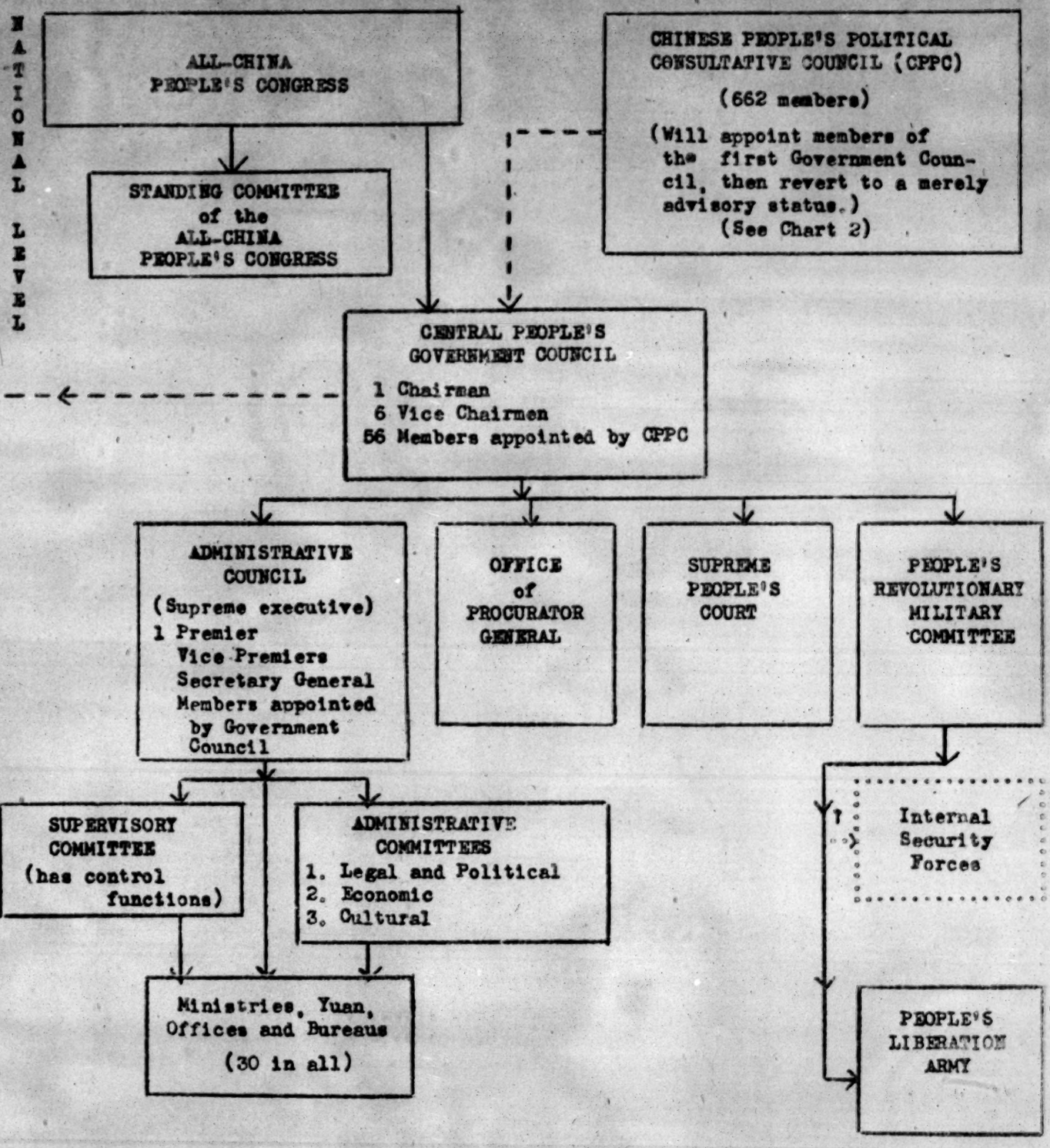
CHART 1

CENTRAL PEOPLE'S GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA[1]

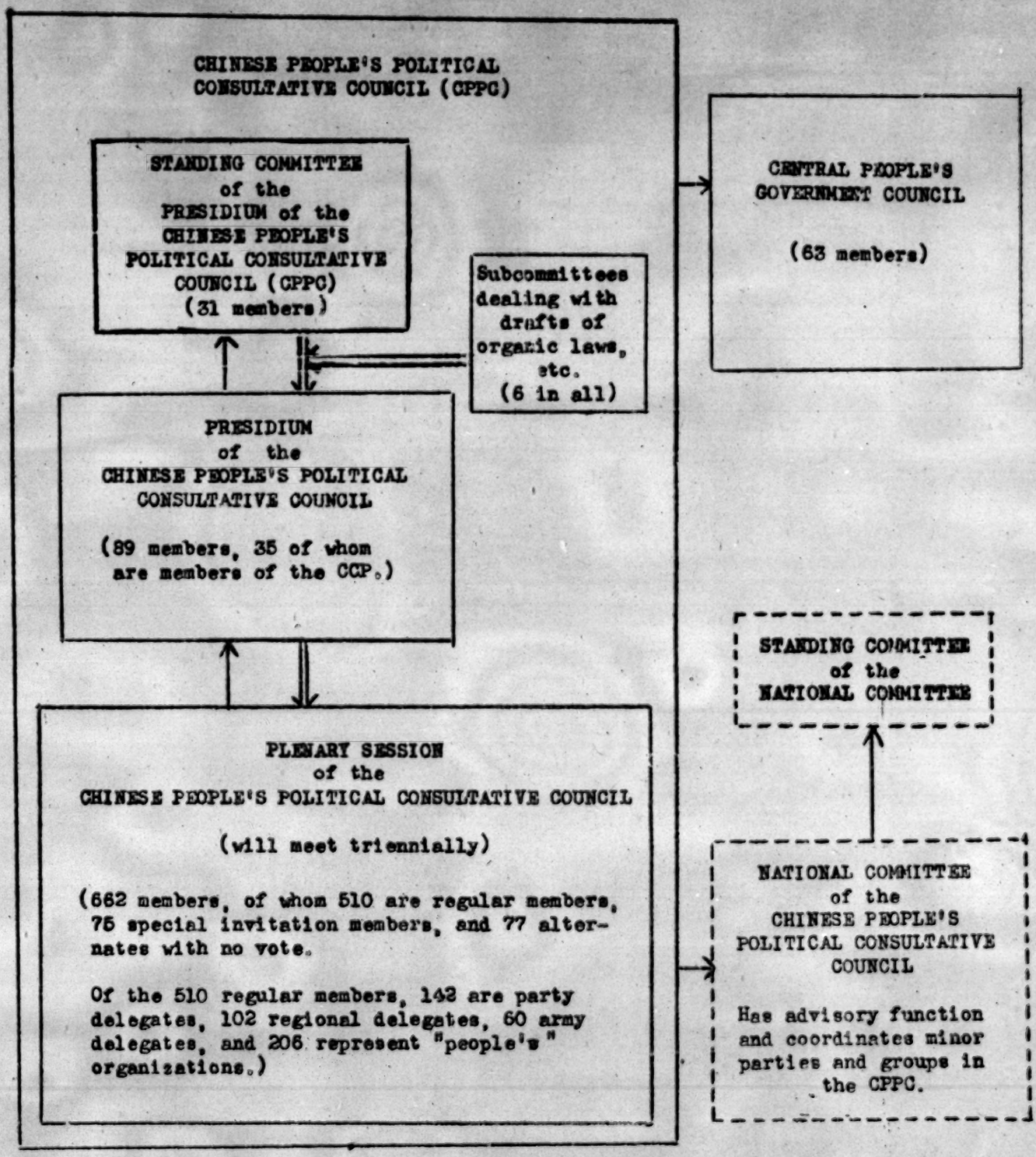

NATIONAL LEVEL
ALL-CHINA PEOPLE'S CONGRESS
STANDING COMMITTEE of the ALL-CHINA PEOPLE'S CONGRESS
CHINESE PEOPLE'S POLITICAL CONSULTATIVE COUNCIL (CPPC)
(662 members)
(Will appoint members of the first Government Council, then revert to a merely advisory status.)
(See Chart 2)
CENTRAL PEOPLE'S GOVERNMENT COUNCIL
1 Chairman
6 Vice Chairmen
56 Members appointed by CPPC
ADMINISTRATIVE COUNCIL
(Supreme executive)
1 Premier
Vice Premiers
Secretary General
Members appointed by Government Council
OFFICE of PROCURATOR GENERAL
SUPREME PEOPLE'S COURT
PEOPLE'S REVOLUTIONARY MILITARY COMMITTEE
SUPERVISORY COMMITTEE
(has control functions)
ADMINISTRATIVE COMMITTEES
1. Legal and Political
2. Economic
3. Cultural
Internal Security Forces
Ministries, Yuan, Offices and Bureaus
(30 in all)
PEOPLE'S LIBERATION ARMY
REGIONAL
Chairman, vice chairmen, principal administrative personnel of some but not all administrative areas, provinces, and municipalities. Others are locally elected and

——— Indicates full power of formation and appointment

- - - - - Indicates qualified or temporary power of appointment

CHART 2

STRUCTURE OF THE CHINESE PEOPLE'S POLITICAL CONSULTATIVE COUNCIL (CPPC) AND ITS PROPOSED RELATIONSHIP TO THE NEW GOVERNMENT


CHINESE PEOPLE'S POLITICAL CONSULTATIVE COUNCIL (CPPC)
STANDING COMMITTEE of the PRESIDIUM of the CHINESE PEOPLE'S POLITICAL CONSULTATIVE COUNCIL (CPPC) (31 members)
Subcommittees dealing with drafts of organic laws, etc. (6 in all)
PRESIDIUM of the CHINESE PEOPLE'S POLITICAL CONSULTATIVE COUNCIL
(89 members, 35 of whom are members of the CCP.)
PLENARY SESSION of the CHINESE PEOPLE'S POLITICAL CONSULTATIVE COUNCIL
(will meet triennially)
(662 members, of whom 510 are regular members, 75 special invitation members, and 77 alternates with no vote.
Of the 510 regular members, 142 are party delegates, 102 regional delegates, 60 army delegates, and 206 represent "people's" organizations.)
CENTRAL PEOPLE'S GOVERNMENT COUNCIL
(63 members)
STANDING COMMITTEE of the NATIONAL COMMITTEE
NATIONAL COMMITTEE of the CHINESE PEOPLE'S POLITICAL CONSULTATIVE COUNCIL
Has advisory function and coordinates minor parties and groups in the CPPC.

———— Lines of appointment

═══════ Lines of authority

- - - - - Bodies not fully formed

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THE NEWLY PROCLAIMED CENTRAL PEOPLE'S GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA: CONCENTRATION OF POWERS AS REVEALED BY MINISTERIAL PERSONNEL

(Supplement to OIR-5069 PV)

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THE NEWLY PROCLAIMED CENTRAL PEOPLE'S GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA: CONCENTRATION OF POWERS AS REVEALED BY MINISTERIAL PERSONNEL

A preliminary analysis of the formal structure and the ministerial personnel of the newly formed Central People's Government of the People's Republic of China suggests the following tentative conclusions:

A. The formal structure of government is characterized by:

1. A merging of the executive, legislative, and judicial powers of government into a single unitary system;
2. A delegation of the powers and functions of the larger representative bodies to smaller administrative bodies;
3. A concentration of broad policy-making powers and appointive powers in a 63-man Government Council.

B. The actual structure of government, insofar as it is revealed by the personnel in key government positions,[1] is characterized by:

1. A high degree of centralization of power. Government organs are interlocked to a surprising extent, through overlapping of personnel, with the result that none of the apparently independent organs are really independent. Government as a whole becomes a series of dovetailing boxes; key members of the Administrative Council concurrently are members of the Government Council and of the administrative committees that run the ministries. A high degree of centralization is achieved

1. For a listing of key personnel of the new government, see BI Information Note No. 51, Administrative Council of the Democratic People's Republic of China, October 21, 1949, RESTRICTED

at the ministerial level by having the ministries made responsible to supra-ministerial committees[1] that are headed by vice premiers of the Administrative Council, who serve concurrently as members of the Government Council. In this way the authority of the Government Council is exerted directly at the ministerial level. The possibility that the ministers, as ministers, will have any really policy-making powers is thus reduced, and it becomes more likely that the ministries will merely be low-level administrative organs that carry out the policy directives of the Government Council. Ministers will have power of decision only insofar as they themselves participate in some higher council.[2] Ministerial personnel are of three types: party men who control the ministries; experts and specialists, who presumably do the actual work of the ministries; and "democratic personages," who are added for window-dressing.

2. A high degree of control by members of one Central Political Bureau of the Chinese Communist Party, extending down to the ministerial level. The concentration of Central Political Bureau personnel is especially evident at the top level (Government Council) and in the Political Affairs Committee of the Administrative Council. The chairman (Chou En-lai) and two of the vice chairmen (P'eng Chen and Wang Ming) of the Political Affairs Committee are Central

1

1. See appended chart.
2. While all ministers are represented on the committee of the Administrative Council to which they are responsible, only a few seem to be represented on the Council itself.

Bureau members. An examination of the personnel of the important organs of government reveals that members of the Central Political Bureau serve concurrently in several important positions.

3. The striking analogies, in formal structure, between the new Chinese government and the government of the USSR. The most salient are as follows:

   a. The formally designated powers and functions of the Government Council are remarkably similar to those of the Presidium of the Supreme Soviet.

   b. The relationship of the Government Council to the Administrative Council is similar to the relationship of the Presidium of the Supreme Soviet to the Council of Ministers in the USSR.

   c. The system of ministerial committees in the Chinese Communist government is reminiscent of the system of collegia used in the USSR.

While, from the point of view of its formal structure, the new government appears to be cumbersome and unwieldy, it is clear that, since top party leaders are located at strategic points throughout the governmental structure, the actual mechanism of decision and control is much more simple and direct than the formal lines of authority would indicate.

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RELATION OF MINISTRIES TO COMMITTEES OF THE STATE ADMINISTRATIVE COUNCIL AND ITS OFFICERS

STATE ADMINISTRATIVE COUNCIL

Premier (Chou En-lai)
4 Vice Premiers (Tung Pi-wu, Chen Yun, Kuo Mo-jo, and Huang Yen-pei)
16 Members

Supervisory Committee

Chairman: Tan Ping-shan
V.chairman: Liu Ching-fan

Ministry of Foreign Affairs

Minister: Chou En-lai
Vice mins.: Wang Chia-hsiang
Li Ke-nung
Chang Han-fu

Committee on Political and Legal Affairs

Chairman: Tung Pi-wu
V.chairman: P'eng Chen
Wang Ming

- Ministry of Public Security (Lo Jui-ch'ing)
- Ministry of Interior (Hsieh Chueh-ts'ai)
- Ministry of Justice (Shih Liang)
- Law Commission (Wang Ming)
- Commission on Affairs of Nationalities (Li Wei-han)

Committee on Economic and Financial Affairs

Chairman: Ch'en Yun
V.chairman: Po Yi-po

- Ministry of Finance (Po Yi-po)
- Ministry of Heavy Industry (Ch'en Yun)
- Ministry of Light Industry (Huang Yen-pei)
- Ministry of Trade (Yeh Chi-chuang)
- Ministry of Labor (Li Li-san)
- Ministry of Fuel Industry (Ch'en Yu)
- Ministry of Textile Industry (Tseng Shan)
- Ministry of Railways (Lu Cheng-ts'ao)
- Ministry of Food
- Ministry of Posts
- Ministry of Communications
- Ministry of Agriculture
- Ministry of Forestry
- Ministry of Water Conservancy

Committee on Cultural and Educational Affairs

Chairman: Kuo Mo-jo
V.chairman: Ch'en Po-ta
Lu Ting-yi

- Ministry of Education (Ma Hsü-lun)
- Ministry of Culture (Shen Yen-ping)
- Ministry of Health (Li Te-ch'uan)
- Academy of Sciences (Ch'en Po-ta)
- Administration of News Agencies (Hu Ch'iao Mu)
- Administration of Publications (Hu Yu-chih)

Independent Ministries

(i.e., not affiliated with a committee):

Commission on Overseas Chinese Affairs

(Ho Hsiang-ning)

Information Administration